



United States Department of State

Washington, D.C. 20520

MAR - 7 2014

Case No.: F-2011-06987

Segment: L3

Mr. Theodore Folkman  
Murphy & King, P.C.  
One Beacon Street  
Boston, MA 02108

Dear Mr. Folkman:

I refer to our letter dated January 30, 2014, regarding the release of certain Department of State material under the Freedom of Information Act (the "FOIA"), 5 U.S.C. § 552.

The review of additional records retrieved from the Office of the Legal Adviser has been completed. Segment L3 consist of 18 documents responsive to your request. After reviewing these documents, we have determined that 5 may be released in full and 10 may be released with excisions. The remaining 3 documents contain information that was submitted to the Department by a third party and may be exempt from disclosure as privileged or confidential information under FOIA Exemption 4. These documents are being referred to the submitter of that information for review pursuant to Executive Order 12600 and the Department's implementing regulations, 22 C.F.R. § 171.13. All released material is enclosed.

An enclosure provides information on FOIA exemptions and other grounds for withholding material. Where we have made excisions, the applicable exemptions are marked on each document.

In the case of a document released in part, all non-exempt material that is reasonably segregable from the exempt material has been released.

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We will keep you informed as your case progresses. If you have any questions, please contact Assistant United States Attorney Anita Johnson at (617) 748-3100.

Sincerely,

A handwritten signature in dark ink, appearing to read "Sheryl L. Walter / JBT". The signature is fluid and cursive, with the initials "JBT" written at the end.

Sheryl L. Walter, Director  
Office of Information Programs and Services

Enclosures:  
As stated.

**EXPLANATION OF GROUNDS FOR WITHHOLDING****The Freedom of Information Act (FOIA) Exemptions (5 USC 552)**

**(b)(1)** Withholding specifically authorized under an Executive Order in the interest of national defense or foreign policy, and properly classified.

**Executive Order 12958, as amended, Classification Categories:**

- 1.4(a)** Military plans, systems or operations
- 1.4(b)** Foreign government information
- 1.4(c)** Intelligence activities, sources or methods, or cryptology
- 1.4(d)** Foreign relations or foreign activities of the US including confidential sources
- 1.4(e)** Scientific, technological or economic matters relating to national security, including defense against transnational terrorism
- 1.4(f)** USG programs for safeguarding nuclear materials or facilities
- 1.4(g)** Vulnerabilities or capabilities of systems, installations, infrastructures, projects, plans or protection services relating to US national security, including defense against transnational terrorism
- 1.4(h)** Information on weapons of mass destruction

**(b)(2)** Related solely to the internal personnel rules and practices of an agency.

**(b)(3)** Specifically exempted from disclosure by statute (other than section 552b of Title 5), e.g.:

- INA** Immigration and Nationality Act, Title 8 USC Section 1202(f)
- CIA** Central Intelligence Agency Act of 1949, Title 50 USC Section 403(g)
- ARMEX** Arms Export Control Act, Title 22 USC 2778(e)
- EXPORT** Export Administration Act of 1979, 50 App. USC 2411(c)(1)

**(b)(4)** Privileged/confidential trade secrets, commercial or financial information from a person.

**(b)(5)** Interagency or intra-agency communications forming part of the deliberative process, attorney client privilege. or attorney work product.

**(b)(6)** Release would constitute a clearly unwarranted invasion of personal privacy.

**(b)(7)** Information compiled for law enforcement purposes that would:

- (A)** Interfere with enforcement proceedings.
- (B)** Deprive a person of a fair trial.
- (C)** Constitute an unwarranted invasion of personal privacy.
- (D)** Disclose confidential sources.
- (E)** Disclose investigation techniques.
- (F)** Endanger life or physical safety of any individual.

**NR** Material not responsive to your FOIA request, excised in accordance with our agreement.

**Privacy Act Grounds for Withholding (5 USC 552a)**

**(d)(5)** Information compiled in reasonable anticipation of a civil action proceeding.

**(j)(1)** CIA records.

**(j)(2)** Enforcement of criminal law, including efforts to prevent, control, or reduce crime or apprehend criminals, except records of arrest.

**(k)(1)** Classified pursuant to E.O. 12958 in the interest of national defense or foreign policy such as intelligence sources and methods.

**(k)(2)** Investigatory material compiled for law enforcement purposes.

**(k)(3)** Regarding protective services to the President of the US or other individual pursuant to Title 18, USC, Section 3056.

**(k)(4)** Required by statute to be maintained and used solely as statistical records.

**(k)(5)** Investigatory material compiled solely for the purpose of determining suitability eligibility or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his identity would be held in confidence.

**(k)(6)** Testing or exam material used to determine individual qualifications for appointment or promotion in Federal service, the release of which would compromise the testing or exam process.

**(k)(7)** Material used to determine potential for promotion in the armed services.

**pp** Information about another person or persons which does not constitute a record about the requester as defined in the access provision of the Privacy Act (section **(d) (1)**) and which may not be released except pursuant to a written request or with the prior written consent of the person or persons concerned (section **(b)**).

**NR** Material not responsive to your Privacy Act request.